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22388 U.S.P.T.O./659711

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## UTILITY

PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

2948-180

First Inventor

Carl R. MERRIL et al

Title ANTIBACTERIAL THERAPY WITH BACTERIOPHAGE  
GENOTYPICALLY MODIFIED TO DELAY INACTIVATION BY THE HOST  
DEFENSE SYSTEM

## Applicant for Published Patent Application:

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form  
*(Submit an original, and a duplicate for fee processing)*
2.  Applicant claims small entity status.
3.  Specification      Total pages [43]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross references to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to sequence listing, a table or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings
  - Detailed Description
  - Claims
  - Abstract of the Disclosure
4.  Drawing(s) (35 USC 113) (Total Sheets) [ ]
5.  Oath or Declaration      (Total Pages) [ ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application  
(37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*  
**[Note Box 5 below]**
- i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application,
6.  Application Data Sheet.

ADDRESS TO:    Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program
8. Nucleotide and/or Amino Acid Sequence Submission
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  
*(when there is an assignee)*
  - Power of Attorney
  - English Translation Document *(if applicable)*
  - Information Disclosure Statement /PTO 1449
  - Copies of IDS Citations
  - Preliminary Amendment
  - Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
  - Certified Copy of Priority Document(s).
  - Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).
  - 17.  Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76::

 Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: 09/866,724

Prior application information: Examiner Jeffrey J. Stucker Group/Art Unit 1648

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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Signature      *J. von Natzmer*      Date September 11, 2003